

CERTIFICATE OF SERVICE

I certify that I served the foregoing **NOTICE OF MOTION UNDER RULE 37(b)(2)(A) TO PRECLUDE OR UNDER RULE 37(a) TO COMPEL** and **CERTIFICATION IN SUPPORT OF DEFENDANTS' MOTION TO PRECLUDE OR COMPEL** and **MEMORANDUM OF LAW** on Counsel for Plaintiff and Counsel for Co-Defendants PLUS ONE FITNESS and JAMIE MACDONALD on August 28, 2008 by mail as follows:

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